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11 *Dean Witter Capital I Inc. Trust 2003-NC2, Mortgage Pass-Through Certificates, Series 2003-*
12 *NC2*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 DEUTSCHE BANK NATIONAL TRUST
16 COMPANY, AS TRUSTEE FOR MORGAN
17 STANLEY DEAN WITTER CAPITAL I INC.
18 TRUST 2003-NC2, MORTGAGE
19 PASSTHROUGH CERTIFICATES, SERIES
20 2003- NC2,

21 Plaintiff,

22 vs.

23 SATICOY BAY LLC SERIES 1236 DUSTY
24 CREEK STREET; DURANGO TRAILS
25 HOMEOWNERS ASSOCIATION, INC.;
26 HOMEOWNER ASSOCIATION SERVICES,
27 INC.,

28 Defendants.

Case No.: 2:17-cv-01667-APG-CWH

MOTION TO LIFT STAY

Plaintiff, Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Dean Witter Capital I Inc. Trust 2003-NC2, Mortgage Pass-Through Certificates, Series 2003-NC2 (“Deutsche Bank”), by and through its attorneys of record, Dana Jonathon Nitz, Esq. and Yanxiong Li, Esq. of the law firm of Wright Finlay & Zak LLP, hereby request that this Court lift the stay entered on June 20, 2017 [ECF No. 6].

On June 20, 2017, this Court entered an Order Staying Case, staying all proceedings in this action pending a decision on the petition for certiorari in *Bourne Valley Ct. Trust v. Wells*

1 *Fargo Bank*, 832 F.3d 1154 (9th Cir. 2016), by the U.S. Supreme Court. The Order provided
2 that “[o]nce the proceedings in the United States Supreme Court in *Bourne Valley Court Trust v.*
3 *Wells Fargo Bank* have concluded, any party may move to lift the stay.” [ECF No. 6 at 3].

4 On June 26, 2017, the U.S. Supreme Court denied the petition for certiorari. A copy of
5 the *Bourne Valley* docket is attached hereto as Exhibit 1. Therefore, Deutsche Bank respectfully
6 requests that this Court lift the stay.

7 DATED this 19th day of September, 2017.

8 WRIGHT, FINLAY & ZAK, LLP

9 /s/ Yanxiong Li, Esq.

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20 *Dean Witter Capital I Inc. Trust 2003-NC2,*
21 *Mortgage Pass-Through Certificates, Series 2003-*
22 *NC2*
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of WRIGHT, FINLAY & ZAK, LLP and that I electronically served on the 19th day of September, 2017, the foregoing **MOTION TO LIFT STAY** to all parties and counsel as identified on the Court-generated Notice of Electronic Filing.

/s/ Kelli Wightman
An Employee of WRIGHT, FINLAY & ZAK, LLP